FDEHN7.002APC PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Kingsland et al.
Appl. No.	:	10/520,436
Filed	:	January 5, 2005
For	:	PROCESSES FOR THE PREPARATION OF FIBRINOGEN
Examiner	:	Unknown
Group Art Unit	:	Unknown

PETITION UNDER 37 C.F.R § 1.47(a))

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. I, Peter Feldman, Unit Manager of the Bio Products Laboratory, which is a unit of NHS Blood and Transplant, sign below and petition to accept this application with the Declaration signed by the joint inventors and on behalf of the non-signing joint inventor: Robert Clemmitt, who cannot be found after diligent effort.
2. Robert Clemmitt assigned his rights to this application to the National Blood Authority by way of Assignment executed on August 20, 2003, copy of which is attached. National Blood Authority was dissolved, and all its assets transferred to NHS Blood and Transplant, by virtue of United Kingdom Statutory Instrument 2005 No. 2532 The National Blood Authority and United Kingdom (Abolition) Order 2005.
3. I have made several unsuccessful attempts to reach Robert Clemmitt:

   a) On November 8, 2005 I emailed him a Declaration and requested that he signs the document (copy attached).

   b) On January 9, 2006 I sent a letter to the last known address of Robert Clemmitt (Biopharmaceutical Centre of Excellence for Drug Discovery, Beckenham Primary Supply, South Eden Park Road, Beckenham, Kent, BR3 3BS), again requesting him to

sign the Declaration. A copy of that letter along with a copy of the Post Office confirmation of dispatch and delivery of item ZH566075802 (letter of January 9, 2006) are attached.

c) On January 11, 2006 I sent an email to Robert Clemmitt's three known email addresses and received confirmation that the email was delivered to the addressee from two of the three addresses.

4. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issuing therefrom.

Dated: 15th February 2006 By: Peter Feldman
Peter Feldman

2375102
021406

78608/001

ASSIGNMENT

THIS ASSIGNMENT is made the 20TH day of AUG. 2003

BETWEEN

Robert Clemmitt, of Bio Products Limited, Daggers Lane, Elstree, Hertfordshire, WD6 3BX, United Kingdom (hereinafter "the Inventor" which expression shall where the context admits be deemed to include his executors heirs administrators and assigns)

AND

National Blood Authority, a Special Health Authority within the National Health Service established by Statutory Instruments Nos. 585 and 586 of 1993, of Oak House, Reeds Crescent, Watford, Hertfordshire, WD1 1QH, United Kingdom (hereinafter "NBA" which expression shall be deemed to include its successors and assigns)

WHEREAS

1. The Inventor is a joint inventor of developments relating to processes for the preparation of fibrinogen (hereinafter "the Developments")

2. The Developments are the subject of a United Kingdom patent application No. 0216001.8 filed 10 July 2002 (hereinafter "the Application"), and wherein the Application was filed by NBA

3. The Inventor is an employee of Bio Products Laboratory, a unit of NBA, of Daggers Lane, Elstree, Hertfordshire, WD6 3BX, United Kingdom and the Inventor made the Developments in the course of his employment by Bio Products Laboratory

NOW THEREFORE

1. In consideration of his employment by Bio Products Laboratory and of the sum of one pound sterling (£1) and other good and valuable consideration, receipt of which is hereby acknowledged, the Inventor **HEREBY ASSIGNS** to NBA:

All rights that the Inventor may have in the Developments including all copyright and design rights, and the right to apply for patents, utility models, registered designs and any other intellectual property rights in respect of the Developments in respect of any country or region of the world.

All rights that the Inventor may have arising from the Application including the right to claim priority therefrom under the International Convention or any other treaty, convention or arrangement, in respect of any application for intellectual property rights in respect of any country or region of the world.

2. In respect of the United States of America and any other countries that the NBA in its sole discretion may designate, any applications for patents may be filed in the name of the Inventor who shall hold all such rights in trust for NBA or for any

other party that NBA in its sole discretion shall designate, pending recordal of the assignment of such rights to NBA or such other party.

3. The Inventor shall execute all documents and do all things required by the NBA to enable NBA to file applications for patents and other intellectual property rights and to be granted patents and other intellectual property rights, whether in its own name or in the name of the Inventor or in the name of any other person specified by NBA. Without prejudice to the generality of this, the Inventor shall execute any application forms, inventor's declarations, oaths, powers of attorney, inventor's assents and assignments to NBA or to any other party specified by NBA.

4. The Inventor hereby grants NBA power of attorney to execute all documents relating to applications for patents and other intellectual property rights which should be executed by the Inventor in the event that through incapacity or otherwise such documents are not executed by the Inventor.

EXECUTED as of the date first above written

Robert Clemmitt

National Blood Authority

By: D. J. SAVAGE

Position: DIRECTOR OF FINANCE

From: Peter Feldman/BPL
To: rhc11611@glaxowellcome.co.uk

Date: Tuesday, November 08, 2005 05:02PM
Subject: Patent application

Hi Rob,
Hope all is well. I'm writing again with another (hopefully the final) request relating to our pate nt applications for Fibrinogen, this time in USA. Although we did not receive any of your legalis ed documents for the other territories, the US application stands separately.

Please would you print off and sign the two forms attached? The first requires only your signat ure and date and should be done first. The second requires your signature, date and a witness, but the witness can be anyone (no visits to lawyers needed).

If you can help with this it would simplify the procedure greatly. For security, I'll also try to se nd you a hard copy through the post. If you've already signed this version, I won't need that a s well.

best regards,
Peter

Attachments:

Fibrinogen patent doc1_dec.DOC

Fibrinogen patent doc2_ass.DOC

[redacted] [redacted]

Bio Products Laboratory

09 January 2006

Dr.R.H.Clemmitt,
Technology Development Manager
Biopharmaceutical Centre of Excellence for
Drug Discovery,
Beckenham Primary Supply
South Eden Park Road,
Beckenham,
Kent, BR3 3BS

File Reference:

E-mail:
Peter.Feldman@bpl.co.uk

Direct Line:
+44 20 8258 2326

Dept. Fax:
+44 20 8258 2617

Dear Rob,

Happy New Year. I hope all is well with you.

I'm writing again with another (hopefully the final) request relating to our patent applications for Fibrinogen, this time in USA. Although we did not receive any of your legalised documents for the other territories, the US application stands separately.

Please would you sign the two forms attached? The first requires only your signature and date and should be done first. The second requires your signature, date and a witness, but the witness can be anyone (no visits to lawyers needed).

These are the same documents which I have e-mailed to the following addresses this week:

robert_h_clemmitt@gsk.com
robert.h.clemmitt@gsk.com
rhc11611@glaxowellcome.co.uk

If you've already signed that version, I won't need this as well.

If you can help it would greatly simplify the patenting procedure. I am sorry that after trying to complete the assignment documents once and for all before you left BPL, each territory seems to require completion of their own patent office paperwork.

With thanks for your help and best regards,

Yours sincerely,

Peter

Peter Feldman
Unit Manager, Coagulation Factor Product Development
Research & Development Department

From: Peter Feldman/BPL
To: robert_h_clemmitt@gsk.com, robert.h.clemmitt@gsk.com, rhc11611@glaxowellcome.co.uk

Date: Wednesday, January 11, 2006 05:37PM
Subject: Request

Dear Rob,
Happy New Year. I hope all is well with you.

I'm writing again with another (hopefully the final) request relating to our patent applications f or Fibrinogen, this time in USA. Although we did not receive any of your legalised documents f or the other territories, the US application stands separately.

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These are the same documents which I have mailed to the following addresses this week:
Dr.R.H.Clemmitt,
Technology Development Manager
Biopharmaceutical Centre of Excellence for Drug Discovery,
Beckenham Primary Supply
South Eden Park Road,
Beckenham,
Kent, BR3 3BS
If you've already signed that version, I won't need this as well.

If you can help it would greatly simplify the patenting procedure. I am sorry that after trying t o complete the assignment documents once and for all before you left BPL, each territory see ms to require completion of their own patent office paperwork.

With thanks for your help and best regards,

Peter

Peter Feldman
Unit Manager, Coagulation Factor Product Development
Research & Development Department
Bio Products Laboratory

Attachments:

Fibrinogen patent doc1_dec.DOC

Fibrinogen patent doc2_ass.DOC

Your document:	Request
was not delivered to:	rhc11611@glaxowellcome.co.uk
because:	Your message was successfully relayed by infozone at 11/01/2006 17:37:19 to the remote mail system 195.106.206.200 that does not support confirmation of delivery.

What should you do?

- You can resend the undeliverable document to the recipients listed above by choosing the Resend button.
- Once you have resent the document you may delete this Delivery Failure Report.
- If resending the document is not successful you will receive a new failure report.
- Unless you receive other Delivery Failure Reports, the document was successfully delivered to all other recipients.

Routing Path:
Bulldog/BPL

To:	robert_h_clemmitt@gsk.com, robert.h.clemmitt@gsk.com, rhc11611@glaxowellcome.co.uk
cc:	
Date:	Wed 01/11/2006
Subject:	Request

From: robert.h.clemmitt@gsk.com
To: "Peter Feldman" <Peter.Feldman@bpl.co.uk>

Date: Wednesday, January 11, 2006 05:38PM
Subject: Request

[virus checked]

Return Receipt

Your doc Request
ument:
was rece Robert H Clemmitt/GMS/GSK
ived by:
at: 11/01/2006 17:38:06

From: robert.h.clemmitt@gsk.com
To: "Peter Feldman" <Peter.Feldman@bpl.co.uk>

Date: Wednesday, January 11, 2006 05:39PM
Subject: Request

[virus checked]

Return Receipt

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ument:
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ived by:
at: 11/01/2006 17:38:34

PO Global tools

- Branch Locator
- Find a postcode
- Find an address
- Track & Trace

Track & Trace

Results

Your item with reference ZH566075802GB has been delivered.

Tracking number:

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Date of posting (Royal Mail recorded signed for items only)

10 | 01 | 2006

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Despatch Receipt

Royal Mail copy

Your company name and address: BPL (R+D)
DAGGER LANE, ELSTREE
HERTS
Postcode: WD6 3BX

cference	Delivery address including full Postcode	Reference	Comp. level £	CL	Barcode
ZH 5660 7580 2GB	DR. R.H. CLEMMITT TECHNOLOGY DEVELOPMENT MANAGER BIOPHARMACEUTICAL CENTRE OF EXCELLENCE	ZH 5660 7580 2GB		CL level £	ZH 5660 7580 2GB SD 1pm
R+D	FOR DRUG DISCOVERY BECKENHAM PRIMARY SUPPLY SOUTH END PARK ROAD			CL level £	
	BECKENHAM KENT BR3 3BS			CL level £	
				CL level £	
				CL level £	
				CL level £	
				CL level £	
				CL level £	
				CL level £	
				CL level £	

Customer reference

Sender's signature: R. Lee

Date: 10.1.06

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